

**TOWN OF ELSMERE
BOARD OF ADJUSTMENTS
MEETING MINUTES
August 25, 2009
6:30 P.M.**

PLEDGE OF ALLEGIANCE:

CALL TO ORDER:

ROLL CALL:

Board Member Patricia Boyd – Present
Board Member James Personti – Present
Board Member John Smith – Absent
Board Member Thomas Manuel – Present
Chairman Paul Chalfant – Absent

OLD BUSINESS:

None

NEW BUSINESS:

The Board of Adjustment Reviewed Petition 09-08 tax parcel number 1900-400-058 known as 1107 Kirkwood Hwy.

Kimberly Hoffman presented the application on behalf of MetroPCS. She explained that they are asking for a special exception use permit to allow the addition of Cell Phone antennae to be placed onto the existing lattice tower located at the Elsmere Fire Hall.

Ms. Hoffman introduced Mr. Carl Humenik who is the site acquisition specialist. Mr. Humenik explained that he works Radio Frequency who identified that the Elsmere area is in need of this addition. They ultimately identified this property because there was already an existing tower at the location and it would cost less and be less of a visual problem if they attached their equipment to an existing tower.

Ms. Hoffman asked Mr. Humenik to explain what the current plan for the leasing agreement would be from the Elsmere Fire Department.

Mr. Humenik explained that they have entered into a 5 year lease with 5 renewal periods of 5 years, meaning it would ultimately be a 25 year lease for the use of the tower to have the antennae placed onto the tower and have their equipment

placed at the site. He stated that they have looked into other properties in the area who were not interested in leasing land to his company to allow the construction of a new pole.

Board Member Personti asked if the lease had a stipulation on the number of antennae that the Fire Company would allow.

Mr. Humenik stated that the current lease allows for two antennae, if they wanted to increase that number in the future they would have to amend the lease.

Board Member Personti stated that if they wanted to do so in the future they would need to appear before the Board again.

Code Officer Brown asked what type of equipment would be located on the ground.

Mr. Humenik stated that there would be three cabinets located on the ground. Mr. Humenik introduced Mr. Clement Poole who would install the cabinets in question.

Mr. Poole stated that the cabinets would house the radio racks that the antennae would use to send and receive the information. These would remain locked and gated when they were not being worked on by the engineers. They would also not require a permanent technician on site. He also explained that they plan to place low profile antennae on the tower, low profile meaning that they would be located closer to the tower to have a cleaner look and would not be as noticeable from the ground that they are located on the tower.

Ms. Hoffman asked Mr. Poole what they plan to do to be sure that Tower can support the equipment.

Mr. Poole stated that they conducted a study to check the strength of the tower to determine if it was capable of supporting the equipment. He stated that during this process they determined that the tower would need to be reinforced to support the existing equipment and the proposed equipment. All of the reinforcement work would be completed at the cost of MetroPCS, Inc.

Councilman Steve Burg questions what is stopping MetroPCS from installing additional antennae on the tower in the future.

Ms Hoffman stated that the current lease that they have worked out with the fire company and the variance that they are requesting would prevent them from adding any additional antennae without previous approval by the Town of Elsmere and that the 6 proposed antennae are already factoring in the increase of use in the future.

ACTION: A motion was made by Board Member Manuel to approve Petition 09-08 with the condition that they follow the plans and lease submitted for review to the Board of Adjustments. The motion was seconded by Board Member Boyd.

VOTE:

All in favor Vote: 3-0 with 2 Absent Motion Carried

APPROVAL OF MINUTES:

Minutes from the June 23, 2009 Board of Adjustment Meeting

Board Member Patty Boyd stated that she is unable to approve these minutes because she was not a board member on that date. These minutes will be approved at the next meeting of the Board of Adjustments

ITEMS SUBMITTED BY CHAIRMAN AND BOARD MEMBERS:

None

PUBLIC COMMENT:

None

ADJOURNMENT:

ACTION: A motion was made by Board Member Boyd to adjourn. The motion was seconded by Board Member Manuel.

VOTE:

All in favor Vote: 3-0 with 2 Absent Motion Carried

At this time the meeting was adjourned.

These minutes summarize the agenda items and other issues discussed at the August 25, 2009 Board of Adjustment Meeting. Votes are recorded accurately. The audio tape(s) of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio tape(s) may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

PAUL CHAFANT, CHAIRMAN

JAMES PERSONTI, SECTRARY